

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

PERRY LEE OLSON, #413228

v.

DOUG DRETKE, DIRECTOR
OF TDCJ-CID

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CIVIL ACTION NO. G-03-208


ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on May 7, 2004. Petitioner has filed his Objections to the Report and Recommendation in a timely manner.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that Petitioner' s Objections are without merit and that the Report and Recommendation should be **ACCEPTED**.

Accordingly, it is **ORDERED** that Respondent' s Motion to Dismiss (Instrument No. 7) is **GRANTED IN PART** and **DENIED IN PART**. This case is referred back to the Magistrate Judge for further proceedings.

DONE at Galveston, Texas this 8th day of August, 2005.



Samuel B. Kent
United States District Judge